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SUBJECT: COUNTRIES ADDRESS REVIEW AND TECHNICAL ASSISTANCE TO
PROMOTE IMPLEMENTATION OF THE UN ORGANIZED CRIME CONVENTION

SUMMARY

[1](#)1. SUMMARY: The UN Office on Drugs and Crime (UNODC) hosted two intergovernmental meetings from September 30 - October 2 in order to advance implementation of the UN Convention against Transnational Organized Crime (UNTOC).

[1](#)2. During the Expert Meeting on Review of Implementation (September 30), chaired by INL DAS Verville in her capacity as President of the Conference of the Parties (COP), participants from 75 countries met to begin initial discussions on the development of a review mechanism for the UNTOC. Many states emphasized the importance of taking lessons learned from the process underway to reach agreement on review mechanism for the UN Convention against Corruption (UNCAC) and wanted to await the outcome of the UNCAC third Conference of the States Parties (COSP). The U.S. delegation stressed the unique nature of the UNTOC, with its broad scope of application and emphasis on international cooperation, which may require a review mechanism tailored to it, rather than the automatically transpose that under development for the UNCAC.

[1](#)3. During the Working Group on Technical Assistance (October 1-2), participants from over 64 countries agreed on priorities for the development of UNODC projects to assist state parties and signatories with implementation of the Convention. The Working Group also endorsed two U.S.-driven initiatives, which sought to further (1) information gathering on actual use of the Convention and (2) the development of a roster of experts to allow UNODC to match technical assistance requests with expertise from state parties.

[1](#)4. DAS Verville also hosted a meeting of the UNTOC Bureau, which agreed to hold a follow-up Expert Meeting on Review of Implementation from January 25-26 and the second Working Group on Trafficking in Persons from January 27-29. END SUMMARY.

U.S. Delegation

[1](#)5. INL DAS Elizabeth Verville led the U.S. delegation, which also included: UNVIE John Brandolino, DOJ Thomas Burrows, INL Christine Cline and L Virginia Prugh.

BEGINNING A DIALOGUE TOWARDS
A REVIEW MECHANISM

[1](#)6. INL DAS Verville served as chairperson for the September 30 meeting of experts on review of implementation, in her capacity as President of the COP. Experts from 75 countries participated in initial discussions on the development of a review mechanism for the UNTOC. Participants generally favored a review mechanism to promote and strengthen the implementation of the Convention, while China and Russia emphasized the importance of a gradual approach. Many states

also stressed the importance of taking lessons learned from the process underway to reach agreement on review mechanism for the UN Convention against Corruption (UNCAC) and wanted to await the outcome of the UNCAC third Conference of the States Parties (COSP). Member States of the European Union advocated for a decision to be taken at the next COP in 2010 to establish an intergovernmental working group, with a view to developing terms of reference for a review mechanism.

¶17. The U.S. delegation stressed the unique nature of the UNTOC, with its broad scope of application and emphasis on international cooperation, which may require a review mechanism tailored to its provisions, rather than automatically transposing that under development for the UNCAC. Peru, Argentina and, by implication, Japan supported this statement. The U.S. delegation also pressed for a more complete picture of UNTOC use and any problems encountered. In this regard, the U.S. delegation and other participants welcomed UNODC's work on a comprehensive software package to facilitate information gathering on the normative framework and practical application of the UNTOC.

PRIORITIES FOR TECHNICAL ASSISTANCE

¶18. During the October 1-2 Working Group on Technical Assistance, participants from over 64 countries agreed on priorities for the development of UNODC projects to assist state parties and signatories with implementation of the Convention. These included: promotion of ratification and accession to the UNTOC; awareness raising and capacity building efforts; promotion of international cooperation under the UNTOC; strengthening of competent central authorities; and development of programs for the protection of

witnesses and victims of international organized crime.

¶19. The Working Group also endorsed two U.S.-driven initiatives, which sought to further (1) information gathering on actual use of the Convention and (2) to match technical assistance requests with expertise from state parties. To this end, the UNODC will complete the comprehensive software package for the UNTOC and supplement it with questions on the states' use of the UNTOC and its Protocols. UNODC will also invite states to identify individuals and their corresponding institutions, with expertise in the implementation of the Convention, in order to facilitate the provision of assistance to requesting states. The Working Group also recommended that the COP consider the establishment and maintenance of a roster of such experts.

MEETINGS ON TIP AND REVIEW OF
IMPLEMENTATION SET FOR JANUARY

¶10. INL DAS VERVILLE convened a meeting of the UNTOC Extended Bureau, which consisted of the heads of the regional groups in addition to those (Argentina, Azerbaijan, Colombia, Egypt, Kenya, Malaysia, Norway, Poland and the Philippines) nominated to serve on the Bureau. The Extended Bureau agreed to authorize the Secretariat to convene the remaining two days of the expert meeting on review of implementation from January 25-26, pending confirmation by Conference Services that the costs for such a meeting could be absorbed.

¶11. The Working Group on Trafficking in Persons will immediately follow from January 27-29. In this regard, the Bureau reviewed the draft agenda for the TIP Working Group, which incorporated suggested topics as provided states parties and signatories. These topics were: (1) definitions of key concepts of the TIP Protocol, (2) good practices in discouraging the demand for exploitative services, (3) non-punishment and non-prosecution of trafficked persons for offenses committed in the process of being trafficked and (4) good practices and tools for front line enforcement officers in responding to TIP. DAS Verville asked Bureau members to share the proposed agenda with their respective regional groups and come to the next Bureau meeting in two weeks time prepared to provide any proposed modifications with a view to finalizing the draft agenda.

COMMENT

¶12. The expert meeting on review of implementation reinforced the reluctance of many states to delve deeply into discussions on a review mechanism for the UNTOC before the outcome of the UNCAC Conference of the States Parties in November. The January experts meeting should prove to be an opportunity for more fulsome discussion and to lay the groundwork for next steps in advance of UNTOC COP, which is scheduled for October 2010. At the same time, the Working Group on Technical Assistance provided concrete recommendations for targeting UNODC assistance projects. The next challenge will be to generate donor funding and support to bring these recommendations to fruition. While the United States has made good on its pledge to provide "soft earmarked" funds for these purposes, it will be necessary to work through UNODC's Major Donors Group and relevant meetings to encourage other donors to also devote resources to UNTOC implementation through UNODC.

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